



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Brand et al.
SERIAL NUMBER: 10/532,295 EXAMINER : Shakeel Ahmed
FILING DATE: February 17, 2006 ART UNIT : 1646
FOR: TREATMENT OF DIABETES

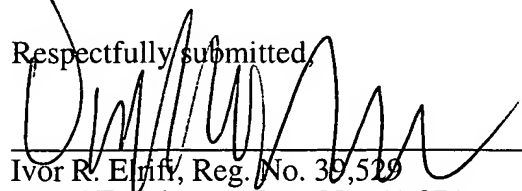
Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Applicants make of record the documents listed on the attached modified Form PTO-1449 (submitted in duplicate) in the above-identified application, copies of which are enclosed.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action based on the merits in the above-identified case. Accordingly, no fee or certification is believed due. By the waiver of 37 CFR 1.98(a)(2)(i) copies of the U.S. Patents A1-A9 and of the U.S. Published Applications A10-A11 are not submitted. However, please charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311 Reference No. 24492-011 NATL.

Respectfully submitted,


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Date: August 15, 2006

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Attorney Docket No.: 24492-011 NATL

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|--|-------------------------------|-------------------|
| Modified Form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) | Application Number | 10/532,295 |
| | Filing Date | February 17, 2006 |
| | First Named Inventor | Brand |
| | Group Art Unit | 1646 |
| | Examiner Name | Shakeel Ahmed |
| | Attorney Docket Number | 24492-011 NATL |

U.S. PATENT DOCUMENTS

| Exam Initials | Cite No. | U.S. Patent Document No. | Issue Date | Name of Patentee(s) or Applicant(s) | Class | Sub Class | Filing Date If Appropriate |
|---------------|----------|--------------------------|------------|-------------------------------------|-------|-----------|----------------------------|
| | *A1 | 4,686,283 | 08/11/87 | Nestor, Jr. et al. | 530 | 327 | |
| | *A2 | 4,760,023 | 07/26/88 | Miyoshi et al. | 435 | 172.3 | |
| | *A3 | 5,506,107 | 04/09/96 | Cunningham et al. | 435 | 7.21 | |
| | *A4 | 5,837,460 | 11/17/98 | Von Feldt et al. | 435 | 6 | |
| | *A5 | 5,885,956 | 03/23/99 | Nardi et al. | 514 | 2 | |
| | *A6 | 5,993,850 | 11/30/99 | Sankaram et al. | 424 | 450 | |
| | *A7 | 6,284,727 B1 | 09/04/01 | Kim et al. | 514 | 12 | |
| | *A8 | 6,288,301 B1 | 11/11/01 | Nardi et al. | 800 | 18 | |
| | *A9 | 6,333,031 B1 | 12/25/01 | Olsson et al. | 424 | 93.7 | |

U.S. PUBLISHED APPLICATION DOCUMENTS

| Exam Initials | Cite No. | U.S. Published Application No. | Published Date | Name of Patentee(s) or Applicant(s) | Class | Sub Class | Filing Date If Appropriate |
|---------------|----------|--------------------------------|----------------|-------------------------------------|-------|-----------|----------------------------|
| | *A10 | 2001/0024824 A1 | 09/27/01 | Moss et al. | 435 | 366 | |
| | *A11 | 2002/0072115 A1 | 06/13/02 | Harrison et al. | 435 | 325 | |

FOREIGN PATENT DOCUMENTS

| Exam Initials | Cite No. | Foreign Patent Document Office Number | Name of Patentee(s) or Applicant(s) | Date of Publication | Translation Yes No |
|---------------|----------|---------------------------------------|-------------------------------------|---------------------|--------------------|
| | B1 | WO 93/03757 | CHIRON CORPORATION | 03/04/93 | |
| | B2 | WO 00/29438 | MILLENNIUM PHARMACEUTICALS, INC. | 05/25/00 | |
| | B3 | WO 02/055152 A2 | WARATAH PHARMACEUTICALS, INC. | 07/18/02 | |
| | B4 | WO 03/040310 A2 | WARATAH PHARMACEUTICALS, INC. | 05/15/03 | |

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

| Exam Initials | Cite No. | Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc. |
|---------------|----------|--|
| | C1 | Bonner-Weir, S. <i>J. Mol. Endocrinol.</i> , 24:297-302 (2000) |
| | C2 | Drucker, D. <i>Endocrin.</i> , 142(2):521-527 (2001) |
| | C3 | Elbrond et al. <i>Diabetes Care</i> , 25(8):1398-1404 (2002) |

| OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS | | |
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| Exam Initials | Cite No. | Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc. |
| | C4 | Garcia-Ocana et al. <i>J. Clin. Endocrinol. Metab.</i> , 86(3):984-988 (2001) |
| | C5 | Hughes et al. <i>Am. Diabetes Assoc.</i> , Abstract 272 (2002) |
| | C6 | Lin et al. <i>Am J. Physiol.</i> , 258(4 - Pt. 1):G648-G651 (1990) |
| | C7 | Mode et al. <i>Endocrinol.</i> , 137(2):447-454 (1996) |
| | C8 | Munoz-Acedo et al. <i>J. Endocrinol.</i> , 145(2):227-234 (1995) |
| | C9 | Nielsen et al. <i>J. Mol. Med.</i> , 77:62-66 (1999) |
| | C10 | Orskov et al. <i>Diabetes</i> , 43:5 35-539 (1994) |
| | C11 | Ricordi et al. <i>Transpl. Proc.</i> , 26(6):3479 (1994) |
| | C12 | Rooman et al. <i>Diabetes</i> , 51:686-690 (2002) |
| | C13 | Xu et al. <i>Diabetes</i> , 48:2270-2276 (1999) |
| | C14 | Yano et al. <i>Transpl. Int.</i> , 7(suppl. 1):S187-S193 (1994) |

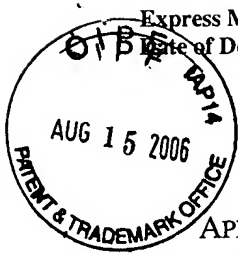
* By the waiver of 37 CFR 1.98(a)(2)(i) copies of the U.S. Patents A1-A9 and the U.S. Published Applications A10-A11 are not submitted.

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|-----------------------|--|--------------------|--|
| Examiner Signature | | Date Considered | |
|-----------------------|--|--------------------|--|

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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TRANSMITTAL LETTER

Transmitted herewith for filing in the present application are the following documents:

1. Information Disclosure Statement (1 page), in duplicate;
2. Modified Form 1449/PTO (2 pages), in duplicate;
3. Copies of Cited References: B1-4; C1-14; and
4. Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 542-6000, Boston, Massachusetts.

The Commissioner is authorized to charge any fees that may be due, or to credit any overpayment, to the undersigned's account, Deposit Account No. 50-0311 Ref. No. 24492-011 NATL. A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,

Ivor R. Elrifi, Reg. No. 39,529
David E. Johnson, Reg. No. 41,874
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